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Thomas P. Riley, SBN 194706 LAW OFFICES OF THOMAS P. RILEY, P.C. First Library Square 1114 Fremont Ave. South Pasadena, CA 91030

Tel: 626-799-9797 Fax: 626-799-9795 TPRLAW@att.net

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Attorneys for Plaintiff J & J Sports Productions, Inc.

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

J & J Sports Productions, Inc., Case No. CV 08-1471 JW

Plaintiff, REQUEST TO ENTER DEFAULT

VS.

Martin E. Lemuz,

Defendant.

#### TO: THE CLERK OF THE ABOVE-ENTITLED COURT:

Plaintiff, J & J Sports Production, Inc., hereby requests that the Clerk of the above-entitled Court enter default in this matter against Defendant Martin E. Lemuz a/k/a Martin Lemuzespino, individually and d/b/a La Palma Bar a/k/a Bar La Palma, on the grounds that said Defendant has failed to appear or otherwise respond to the Summons and Complaint within the time prescribed by the Federal Rules of Civil Procedure.

' ||//

Said Defendant was duly served with the Summons and Complaint, evidenced by the Proofs of Service on file with this Court. Dated: August 5, 2008 /s/ Thomas P. Riley LAW OFFICES OF THOMAS P. RILEY, P.C. By: Thomas P. Riley Attorneys for Plaintiff J & J Sports Production, Inc. 

## PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On August 5, 2008, I served:

#### REQUEST TO ENTER DEFAULT

On all parties referenced by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Martin E. Lemuz a/k/a Martin Lemuzespino (Defendant) 262 Keys Street San Jose, CA 95112

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on August 5, 2008, at South Pasadena, California.

Dated: August 5, 2008 /s/Michelle Ferreira
MICHELLE FERREIRA

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|----------------------------|--|---|--|--------------------------|
| 1 2 3                      | Thomas P. Riley, SBN 194706<br>LAW OFFICES OF THOMAS P. RILEY, P.C.<br>First Library Square<br>1114 Fremont Ave.<br>South Pasadena, CA 91030 |   |  |                          |
| 4<br>5                     | Tel: 626-799-9797<br>Fax: 626-799-9795<br>TPRLAW@att.net   |   |  |                          |
| 6                          | Attorneys for Plaintiff J & J Sports Productions, Inc.   |   |  |                          |
| 7                          | United States District Court<br>Northern District of California  |   |  |                          |
| 9                          | J & J Sports Product   | ions, Inc.  | Case No. CV 08-  | 1471 JW                  |
| 10                         | Plair  |   | AFFIDAVIT OF   | DI AINTIEE'S             |
| 12                         | T laii   | 10111,  | COUNSEL IN S   |                          |
| 13                         | vs.  |   | PLAINTIFF'S R<br>ENTER DEFAU   | -                        |
| 14                         | Martin E. Lemuz,   |   |  |                          |
| 15<br>16                   | Defe   | ndant.  |  |                          |
| 17                         |  |   |  |                          |
| 18                         |  |   |  |                          |
|                            | To: The Clerk of the a   | bove-entitled Cou   | rt:  |                          |
| 19                         |  |   |  |                          |
| 20                         |  | <b>bove-entitled Cou</b> y, declare as follow                       |  |                          |
|                            | I, Thomas P. Rile  | y, declare as follow  | rs:  | ., in the above-entitled |
| 20                         | I, Thomas P. Rile  | y, declare as follow  | rs:  | ., in the above-entitled |
| 20<br>21<br>22             | I, Thomas P. Rile  1. I am the attaction.  | y, declare as follow<br>corney for J & J Spo                        | rs:  |                          |
| 20<br>21<br>22<br>23       | I, Thomas P. Rile  1. I am the attaction.  | y, declare as follow<br>corney for J & J Spo<br>, 2008, Defendant v | orts Productions, Inc  |                          |
| 20<br>21<br>22<br>23<br>24 | I, Thomas P. Rile  1. I am the attaction.  2. On July 12 Complaints and supplen  | y, declare as follow<br>corney for J & J Spo<br>, 2008, Defendant v | orts Productions, Inc<br>was duly served with<br>led in this action. |                          |

The Defendant has not appeared in this action and has not responded to the 1 4. 2 Complaint within the time permitted by law. 3 5. Defendant is not infant, incompetent persons, or person in military service or otherwise exempted from default judgment under the Soldiers' and Sailors' Civil 5 Relief Act of 1940. 6 Plaintiff respectfully requests default in its favor. 6. 7 8 I declare under the penalty of perjury of the laws of the State of California and 9 the United States of America that the above is true and correct. 10 11 12 Respectfully submitted, 13 14 15 16 Dated: August 5, 2008 /s/ Thomas P.Riley 17 LAW OFFICES OF THOMAS P. RILEY, P.C. 18 By: Thomas P. Riley 19 Attorneys for Plaintiff J & J Sports Productions, Inc. 20 /// 21 /// 22 /// 23 24 /// 25 /// 26 27 28

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Case 5:08-cv-01471-JW Document 11-2 Filed 08/06/2008 Page 3 of 3

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On August 5, 2008, served:

# AFFIDAVIT OF PLAINTIFF'S COUNSEL IN SUPPORT OF PLAINTIFF'S REQUEST TO ENTER DEFAULT

On all parties referenced by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Martin E. Lemuz a/k/a Martin Lemuzespino (Defendant) 262 Keys Street San Jose, CA 95112

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on August 5, 2008, at South Pasadena, California.

Dated: August 5, 2008

/s/ Michelle Ferreira

MICHELLE FERREIRA